



Department of Justice

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BENEDICT P. KUEHNE, TWO OTHERS, INDICTED ON MONEY LAUNDERING CHARGES

WASHINGTON - A federal grand jury in Miami has charged three individuals with federal money laundering charges, obstruction of justice and forfeiture allegations, Assistant Attorney General Alice S. Fisher of the Criminal Division announced today.

The defendants are Benedict P. Kuehne, a Miami-based attorney, Gloria Florez Velez, an accountant from Medellin, Colombia, and Oscar Saldarriaga Ochoa, an attorney based in Medellin, Colombia.

All of the defendants are charged with one count of conspiracy to commit money laundering, four counts of concealment money laundering, and one count of obstruction of justice. The indictment also seeks forfeiture in excess of \$5 million. If convicted, the defendants face a maximum period of 20 years incarceration and a \$250,000 fine, in addition to the criminal forfeiture.

As alleged in the indictment, Fabio Ochoa Vazquez (hereinafter "Ochoa") was one of the world's largest cocaine traffickers and a leader of the Medellin Cartel. In September 2001, Ochoa was extradited from Colombia to stand trial in U.S. District Court for the Southern District of Florida for conspiring to distribute cocaine in the United States and elsewhere. He was charged with smuggling approximately 30 tons of powder cocaine per month into the United States between 1997 and 1999, and ultimately convicted of those offenses in May 2003.

Ochoa's criminal defense attorneys retained defendant Kuehne to investigate the source of the funds Ochoa intended to use to pay his attorneys' fees and to ensure that the funds were not proceeds, or commingled with proceeds, from Ochoa's drug trafficking activities. From 2001 until 2003, defendant Kuehne purportedly conducted a due diligence investigation, with the assistance of defendant Saldarriaga, who was working out of the office of Ochoa's criminal defense attorneys in Miami, and defendant Florez, Ochoa's personal accountant based in Colombia.

The indictment alleges that defendants Kuehne, Florez and Saldarriaga knew that the funds used by Ochoa consisted of, or were at least commingled with, proceeds of drug trafficking and that the defendants conspired to, and did in fact, conceal such information. The indictment alleges that Kuehne drafted six opinion letters falsely advising Ochoa's legal defense

team that he had conducted a thorough and independent investigation into the source of funds. Through these opinion letters, defendant Kuehne advised Ochoa's criminal defense team that the funds Ochoa used to pay his attorneys fees were free from any taint of illegal activity, did not represent the proceeds of criminal conduct, and were not commingled with proceeds of drug trafficking. Thereafter, Florez, Kuehne and Saldarriaga made four outgoing wire transfers, totaling \$5,239,653.67 from Kuehne's attorney trust account to Ochoa's legal defense team, representing payments by Ochoa for his legal fees and expenses.

Assistant Attorney General Fisher was joined in today's announcement by Eileen C. Mayer, Chief, Internal Revenue Service (IRS), Criminal Investigation Division; Jonathan I. Solomon, Special Agent in Charge, Federal Bureau of Investigation (FBI); Anthony V. Mangione, Special Agent in Charge, U.S. Immigration and Customs Enforcement (ICE); Amos Rojas, Special Agent in Charge, Florida Department of Law Enforcement (FDLE); and Maria Del Pilar Hurtado, Director, Colombia Departamento Administrativo de Seguridad (DAS). Assistant Attorney General Fisher commended the investigative efforts of all the cooperating agencies. The case is being prosecuted by the Criminal Division's Senior Trial Attorney John W. Sellers and Trial Attorney Thomas J. Pinder.

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